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16344  
EPO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

09/848,986

May 4, 2001

RAZ, EYAL

1634

GUNTER, DAVID R.

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UCAL-168

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### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1) Exhibit 1 2) Return Postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Documents	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	PAULA A. BORDEN, Reg. No. 42,344
Signature	
Date	January 30, 2003

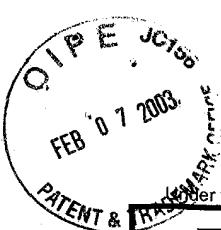
### CERTIFICATE OF MAILING

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Typed or printed name	Cindy Kim Hoang	Date	January 30, 2003
Signature			

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 9.00)

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit overpayments to:  
Deposit Account Number 50-0815  
Deposit Account Name Bozicevic, Field & Francis LLP  
 Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17  
 Applicant Claims small entity status.  
See 37 CFR 1.27
2.  Payment Enclosed:  
 Check  Credit Card  Money Order  Other

## FEE CALCULATION

## 2. BASIC FILING FEE

Large Entity Fee Code	\$	Fee	Small Entity Fee Code	\$	Fee Description	Fee Paid
101	740	201	370		Utility filing fee	
106	330	206	165		Design filing fee	
107	510	207	255		Plant filing fee	
108	740	208	370		Reissue filing fee	
114	160	214	80		Provisional filing fee	

SUBTOTAL (1) 0.00

## 1. EXTRA CLAIM FEES

Fee from Extra Claims				Fee Paid
Total Claims 21-20** = 1 x 9 = 9.00				
Indep. Claims 6-6** = x =				

Large Entity Fee Code	\$	Small Entity Fee Code	\$	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 9.00

\*\*or number previously paid, if greater; For Reissues, see above.

Complete if Known	
Application Number	09/848,986
Filing Date	May 4, 2001
First Named Inventor	RAZ, EYAL
Examiner Name	GUNTER, DAVID R.
Group Art Unit	1634
Attorney Docket No.	UCAL-168

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## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee Code	\$	Small Entity Fee Code	\$	Fee Description	Fee Paid
105	130	205	65	Surcharge – late filing fee or oath	
127	50	227	25	Surcharge – late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examination action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive – unavoidable	
141	1,280	241	640	Petition to revive – unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	For each additional invention to be examined (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

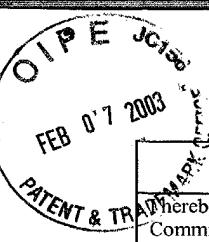
\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0.00)

SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Signature	Registration No. (Attorney/Agent)	Telephone	(650) 327-3400
			Date	01/30/2003

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Typed or Printed Name	<i>Cindy Young</i>		
Signature	<i>Cindy Young</i>	Date	1/30/03

<b>AMENDMENT UNDER 37 C.F.R. §1.111</b>		Attorney Docket Confirmation No.	UCAL168 8751
Address to: Assistant Commissioner for Patents Washington, D.C. 20231		First Named Inventor	E. Raz
		Application Number	09/848,986
		Filing Date	May 4, 2001
		Group Art Unit	1634
		Examiner Name	D.R. Gunter
		Title	<i>Agents that modulate DNA-PK activity and methods of use thereof</i>

Sir:

This amendment is responsive to the Office Action dated November 22, 2002, for which a three-month period for response was given making this response due on or before February 22, 2003.

Accordingly, this response is timely filed.

In view of the remarks put forth below, reconsideration and allowance are respectfully requested.

**I. AMENDMENTS**

**IN THE CLAIMS**

Please enter new claim 21, as shown below.

--21. (New) The method of claim 8, wherein the immunomodulatory nucleic acid molecule comprises a nucleotide sequence selected from 5'-Purine-Purine-C-G-Pyrimidine-Pyrimidine-3', 5'-Purine-TCG-Pyrimidine-Pyrimidine-3'; 5'-(TCG)<sub>n</sub>-3', where n is any integer that is 1 or greater, 5'-Purine-Purine-CG-Pyrimidine-Pyrimidine-CG-3', 5'-Purine-TCG-Pyrimidine-Pyrimidine-CG-3', and 5'-Purine-Purine -CG-Pyrimidine-Pyrimidine-CG-3'. --

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